



Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

Architectural Access Board
One Ashburton Place, Room 1310
Boston, Massachusetts 02108-1618

Phone 617-727-0660

Fax 617-727-0665

www.mass.gov/dps

Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number **V 14 080**

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Spa Use**
457 Great Road
Acton

Date: **4/14/2014**

Enclosed please find the following material regarding the above location:

☐ Application for Variance

☒ Decision of the Board

☒ Notice of Hearing

☐ Correspondence

☐ Letter of Meeting

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which may assist the Board in reaching a decision in this case, you may call this office or you may submit comments in writing.



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NOTICE OF ACTION

RE: Spa Use first and Second Floor, 457 Great Road

1. A request for a variance was filed with the Board by Norton S. Remmer (Applicant) on March 20, 2014
The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
3.4	Second Floor of existing residential building.
20.1	Accessible route/entrance to second floor
5.1	Impracticability/Accessible route to second floor.

2. The application was heard by the Board as an incoming case on Monday, April 7, 2014

3. After reviewing all materials submitted to the Board, the Board voted as follows:

The Board voted to schedule a hearing on your variance requests. Your hearing notice is enclosed.

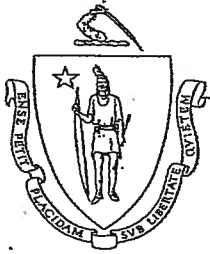
PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: April 14, 2014

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Walter White T.H.
Chairperson
ARCHITECTURAL ACCESS BOARD



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VARIANCE HEARING

RE: Spa Use first and Second Floor, 457 Great Road, Acton

You are hereby notified that an informal adjudicatory hearing before the Architectural Access Board has been scheduled for you to appear on Monday, **July 14, 2014** at **2:00 P.M.** at One Ashburton Place, 21st Floor, Boston, MA 02108.

This hearing is upon an application for variance filed by: Norton S. Remmer for modification of or substitution of the following Rules and Regulations: See application
A copy of the request is available for public inspection during regular business hours.

You should be aware that the burden of proof is upon the applicant requesting a variance to prove that compliance is either: 1. technologically infeasible or; 2. the cost of compliance is excessive without substantial benefit to a person with a disability.

This hearing will be conducted in accordance with the procedures set forth in M.G.L., c. 30A, and 801 CMR 1.02, the Informal/Fair Hearings Rules. At the hearing, each party may be represented by counsel, may present evidence and may cross examine opposing witnesses.

Also, please note that all attendees will be asked to turn off all cell phones and pagers while the Board is in session.

ARCHITECTURAL ACCESS BOARD

Date: April 14, 2014

Walter White T.A.

Chairperson

cc: Local Building Inspector
Independent Living Center
Local Disability Commission



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Docket Number

(Office Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: _____
Name and address of building as appearing on application for variance

I, _____, do hereby request that the Architectural Access Board
conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et.
seq. as I am aggrieved by the decision of the Board with respect to Section(s) _____
of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: _____

Signature

PLEASE PRINT:

Name

Address

City/Town State Zip Code

E-mail

Telephone

PLEASE NOTE:

This form must be received by the Board **within thirty (30) days** after receipt of the Notice of Action.